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8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **SEATTLE DIVISION**

11 FOTOHAUS, LLC,

12 Plaintiff,

13 v.

14 CAUSEY WRIGHT, INC., P.S.,

15 Defendant.

CASE NO. 2:21-cv-00791

**COMPLAINT FOR
COPYRIGHT
INFRINGEMENT
(INJUNCTIVE RELIEF
DEMANDED)**

16 Plaintiff FOTOHAUS, LLC by and through its undersigned counsel, brings this
17 Complaint against Defendant CAUSEY WRIGHT, INC., P.S. for damages and injunctive relief,
18 and in support thereof states as follows:
19

20 **SUMMARY OF THE ACTION**

21 1. Plaintiff FOTOHAUS, LLC (“Fotohaus”) brings this action for violations of
22 exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Fotohaus’
23 original copyrighted Work of authorship in its Work.

24 2. Daniel Foster, owner and principal photographer of Fotohaus, has a history of
25 taking highly unique abstract architecture photographs that focus on lines and geometry. His
26

works have been featured 18 times in the highly-coveted “Explore” section of Flickr. More than 86,000 fans follow his work on Instagram. Daniel is a member of the Royal Photographic Society and Professional Photographers of America. His work has been published online and offline through a variety of publications, including National Geographic, der Freitag, the World Wildlife Fund, and Smithsonian. Daniel licenses his work commercially on a selective basis and is currently working to establish himself as a fine art photographer. His prints are available for purchase through Saatchi Art.

3. Defendant CAUSEY WRIGHT, INC., P.S. (“Causey”) is a law firm located in Seattle, Washington that tailors its practice to “cover the workplace.” CW's practice areas are Washington Workers' Compensation, Longshore & Harbor Worker, Defense Base Act, Mediaton, Maritime, and Personal Injury. At all times relevant herein, Causey owned and operated the internet website located at the URL www.causeywright.com.

4. Fotohaus alleges that Causey copied Fotohaus’ copyrighted Work from the internet in order to advertise, market and promote its business activities. Causey committed the violations alleged in connection with Causey’s business for purposes of advertising and promoting sales to the public in the course and scope of the Causey’s business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in Washington.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in

1 infringement in this district, Defendant resides in this district, and Defendant is subject to
2 personal jurisdiction in this district.

3 **DEFENDANT**

4 9. Causey Wright, Inc., P.S. is a Washington Corporation, with its principal place of
5 business at 2601 4th Avenue, Suite 700, Seattle, Washington, 98121, and can be served by
6 serving its Registered Agent, Mr. Brian M. Wright, at the same address.

7 **THE COPYRIGHTED WORK AT ISSUE**

8 10. In 2014, Fotohaus created the photograph entitled Talking on the Phone, which is
9 shown below and referred to herein as the “Work”.
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1 11. Fotohaus registered the Work with the Register of Copyrights on June 27, 2014
2 and was assigned the registration number VA 1-919-051. The Certificate of Registration is
3 attached hereto as Exhibit 1.

4 12. Fotohaus' Work is protected by copyright but is not otherwise confidential,
5 proprietary, or trade secrets.

6 13. At all relevant times Fotohaus was the owner of the copyrighted Work at issue in
7 this case.
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9 **INFRINGEMENT BY DEFENDANT**

10 14. Causey has never been licensed to use the Work at issue in this action for any
11 purpose.

12 15. On a date after the Work at issue in this action was created, but prior to the filing
13 of this action, Causey copied the Work.

14 16. Causey copied Fotohaus' copyrighted Work without Fotohaus' permission.

15 17. After Causey copied the Work, it made further copies and distributed the Work on
16 the internet to promote the sale of goods and services as part of its legal representation business.
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18 18. Causey copied and distributed Fotohaus's copyrighted Work in connection with
19 Causey's business for purposes of advertising and promoting Causey's business, and in the
20 course and scope of advertising and selling products and services.

21 19. Fotohaus' Works are protected by copyright but are not otherwise confidential,
22 proprietary, or trade secrets.

23 20. Causey committed copyright infringement of the Work as evidenced by the
24 documents attached hereto as Exhibit 2.
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1 21. Fotohaus never gave Causey permission or authority to copy, distribute or display
2 the Work at issue in this case.

3 22. Fotohaus notified Causey of the allegations set forth herein on September 18,
4 2020 and October 13, 2020. To date, Causey has failed to respond to Plaintiff's Notices. Copies
5 of the Notices to Causey are attached hereto as Exhibit 3.

6
7 **COUNT I**
COPYRIGHT INFRINGEMENT

8 24. Plaintiff incorporates the allegations of paragraphs 1 through 23 of this Complaint
9 as if fully set forth herein.

10 25. Fotohaus owns a valid copyright in the Work at issue in this case.

11 26. Fotohaus registered the Work at issue in this case with the Register of Copyrights
12 pursuant to 17 U.S.C. § 411(a).

13 27. Causey copied, displayed, and distributed the Work at issue in this case and made
14 derivatives of the Work without Fotohaus's authorization in violation of 17 U.S.C. § 501.

15 28. Causey performed the acts alleged in the course and scope of its business
16 activities.

17 29. Causey's acts were willful.

18 30. Fotohaus has been damaged.

19 31. The harm caused to Fotohaus has been irreparable.

20 WHEREFORE, the Plaintiff prays for judgment against the Defendant Causey Wright,
21 Inc., P.S. that:
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1 a. Defendant and its officers, agents, servants, employees, affiliated entities, and all
2 of those in active concert with them, be preliminarily and permanently enjoined from committing
3 the acts alleged herein in violation of 17 U.S.C. § 501;

4 b. Defendant be required to pay Plaintiff its actual damages and Causey's profits
5 attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17
6 U.S.C. § 504;

7 c. Plaintiff be awarded its attorneys' fees and costs of suit under the applicable
8 statutes sued upon;
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10 d. Plaintiff be awarded pre and post-judgment interest; and

11 e. Plaintiff be awarded such other and further relief as the Court deems just and
12 proper.

13 **JURY DEMAND**

14 Plaintiff hereby demands a trial by jury of all issues so triable.

15 DATED: June 11, 2021

16 Respectfully submitted,

17 /s/Joel B. Rothman

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